Equal Opportunity Training for 4th Quarter

n of Sexual Harassment

OBJECTIVES

- Army policy on sexual harassment
- Impact on personal and unit performance
- How to recognize sexual harassment

OBJECTIVES

- How to prevent sexual harassment
- Informal resolution techniques
- Possible sanctions

DEFINITION

- A form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

DEFINITION

- submission to, or rejection of, such conduct is made explicitly or implicitly a term or condition of a person's job, pay or career, OR
- submission or rejection is used as a basis for career or employment decisions affecting that person, OR
- conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

QUID PRO QUO

(Latin for “this for that”)

Submission to, or rejection of advances are a condition upon which a person’s job, career or promotion depends.

HOSTILE ENVIRONMENT

- Offensive, unwanted, and unsolicited comments or behaviors of a sexual nature that unreasonably interferes with performance.

HOSTILE ENVIRONMENT

- **KEY POINTS**
 - subtle
 - one incident or several
 - intent of harasser is irrelevant
 - perception or impact on the harassed person

IMPACT VS INTENT

- In determining whether behavior constitutes sexual harassment, a primary concern is the impact of the act upon the victim, not the intent of the alleged harasser.
- An excuse such as “I was only joking” is irrelevant. The issue of the intent on the part of the perpetrator is not a relevant factor in determining sexual harassment.

REASONABLE PERSON STANDARDS

- **The situation must be viewed from the perspective of a reasonable, third party.**
- **Would a reasonable person find the behavior hostile, offensive, or intimidating.**
- **the “reasonable person standards” is used by commanders and the courts to judge whether the conduct was sexual harassment.**

EXAMPLES

- **VERBAL:**
 - **profanity or off color jokes**
 - **sexual comments or threats**
 - **whistling, barking, grunting, etc..**
 - **rumors of sexual acts or involvement**

EXAMPLES

- **NONVERBAL**
 - **leering, ogling, blowing kisses**
 - **licking lips, winking,**

EXAMPLES

- **Printed materials**
 - **sexually oriented notes, letters**
 - **faxes, computer screen savers**
 - **visibly posting sexual sayings such as bumper stickers, cartoons, posters, pin-ups calendars etc.**

EXAMPLES

- **PHYSICAL:**
 - displaying suggestive pictures
 - stroking, grabbing, patting, or hugging,
 - cornering or blocking a passageway
 - adjusting someone's clothing without permission

VICTIM IMPACT

- Interferes with work performance
- Creates a hostile environment
- Promotes negative stress
- Creates fear and anxiety

4 QUICK QUESTIONS

- **Was the behavior or innuendo sexual in nature?**
- **Was the behavior unwelcome?**
- **Does the behavior create hostile or offensive environment?**
- **Have sexual favors been demanded, requested, or suggested - especially as a condition of employment or job success?**

SELF-COPING MECHANISMS

- denial
- blaming oneself
- joking
- avoidance
- confrontation

UNWELCOME

- Victim did not elicit or incite the behavior and finds it offensive.
- Was there equal initiation and participation?
- Some victims feel forced to submit.
- Not necessary to ***state*** that behavior is unwelcome

DATING

- When do requests for dates constitute sexual harassment?
 - when it is unwelcome
- What constitutes unwelcome?
 - repeatedly hearing “no” for an answer
 - what constitutes no?

OBSESSIVE BEHAVIOR

- **STALKING - includes actions of a person in repeatedly following or harassing another person in a manner to induce (in a reasonable person) a fear of sexual battery, bodily injury or death.**
- **Stalking is a violation of the UCMJ**
- **Includes unwanted telephone calls, uninvited visits to personal living area. etc..**

INFORMAL RESOLUTION

- Confront the harasser
- Write a letter
- Maintain a log of incidents
- Request sexual harassment training
- Report the incident

CONFRONTATION

- maintain professional demeanor
- correct the behavior/don't attack
- tell harasser what you don't like
- explain that you are offended
- tell them to stop the behavior
- state that if behavior continues, you will report the individual

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Questions???

- Video (Preventions of Sexual Harassment/Discrimination)